Action	Section Chapter 309 12/17/2015	Explanation of Changes since 10/12
Add new definitions.	30 TAC §309.11 Definitions. Firm reclaimed water demand means the minimum volume of reclaimed water that can be guaranteed to be beneficially reused over a specified time and includes reclaimed water used for indoor and outdoor purposes.	Added language to the definition: can be used for indoor and outdoor purposes.
Amend	30 TAC §309.20(b)(3)(A) Hydraulic application rate. (1) A water balance study shall be provided as part of a detailed application rate analysis in order to determine the irrigation water requirement, including a leaching requirement if needed, for the crop system on the wastewater application areas. Except as otherwise provided in Subsection (2), ~~T~~the total volume of effluent to be land applied to dedicated disposal fields may be reduced by a maximum of 80% of the total volume of firm reclaimed water demand that will be used for outdoor purposes and the total volume of firm reclaimed water demand utilized for indoor purposes. The water balance study should generally follow the example development shown in Table 1 of this subparagraph. Precipitation inputs to the water balance shall utilize the average yearly rainfall and the monthly precipitation distribution based on past rainfall records. The consumptive use requirements (evapotranspiration losses) of the crop system shall be developed on a monthly basis. The method of determining the consumptive use requirement shall be documented as a part of the water balance study. A leaching requirement, calculated as shown in Table 1 of this subparagraph, shall be included in the water balance study when the total dissolved solids concentration of the effluent presents the potential for developing excessive soil salinity buildup due to the long term operation of the irrigation system. (2) An applicant, during the first term of the permit, that owns, leases, or otherwise reserves sufficient land to apply the total volume of effluent less the volume of firm reclaimed water demand utilized for indoor uses may reduce the volume of total effluent in the water balance study by the firm reclaimed water demand utilized for outdoor purposes.	Added new subsections to address concerns with outdoor conditions that may limit a user's ability to utilize reclaimed water for outdoor purposes.
Amend	30 TAC §309.20(b)(3)(B) Effluent storage. An effluent storage study shall be performed to determine the necessary storage requirements. The storage requirements shall be based on a design rainfall year with a return frequency of at least 25 years (the expected 25 year-one year rainfall, alternatively the highest annual rainfall during the last 25 years of record may be used) and a	

	normal monthly distribution, the application rate and cycle, the effluent available on a monthly basis, and evaporation losses. Storage may be reduced based on the volume of firm reclaimed water demand. An example of an effluent storage study is shown in Table 3 of this subparagraph.	
Add new subsection.	30 TAC §309.20(d) Reclaimed Water Dispersal Sites. (1) An applicant that relies upon firm reclaimed water demand to reduce the required dedicated disposal fields or effluent storage required under this Chapter, shall ensure that indoor and outdoor ~~the~~ dispersal sites for the reclaimed water have the appropriate authorization under 30 TAC Chapter 210 (*Use of Reclaimed Water*). (2) ~~Reclaimed~~ Outdoor reclaimed water dispersal sites ~~described in subsection (1)~~ must meet the distance standards set in 30 TAC §309.13(c)(1), (2), and (3) (*Unsuitable Site Characteristics*); and 30 TAC §222.81(a)(3) (*Buffer Zone Requirements*).	Added references to indoor and outdoor.
Add a new section.	30 TAC §309.21 Firm Reclaimed Water Demand. (a) An applicant establishes that reclaimed water demand is firm when the applicant: (1) demonstrates to the satisfaction of the executive director that a user will accept a specific volume of reclaimed water on a periodic basis; or (2) demonstrates a specific amount of reclaimed water use by the applicant. (b) An applicant may demonstrate its ability to transfer reclaimed water on a periodic basis when it requires a user to accept a specific amount of reclaimed water by contract or by appropriate regulation. (c) Applicant must provide the executive director with a list of users, type of use, and areas that receive firm reclaimed water demand. Areas receiving firm reclaimed water demand for outdoor irrigation purposes must be shown on a map that also identifies the buffer zones in compliance with 30 TAC 309.20(d)(2). If the users or areas change, the applicant is required to provide an updated list within 30 days. A change in user or area is not an amendment to the permit. (d) Firm reclaimed water demand includes the uses described in 30 TAC §210.32 (*Specific Uses of Reclaimed Water*). (e) Reclaimed water dispersal sites must meet the standards in 30 TAC §309.20(d) (*Land Disposal of Sewage Effluent*). (f) An applicant cannot rely on a transfer of reclaimed water to a user if the user has been found substantially noncompliant,	Subsection (c): Added a map requirement for areas that will receive reclaimed water. Subsection (h): Deleted reference to alternative disposal method provision. Added reference to water balance for outdoor use of reclaimed water. Added a new Subsection (k): Does not allow firm reclaimed water demand to be the same as the volume of permitted wastewater.

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	as described in 30 TAC §70.51, within the last five years. (g) Applicant is responsible for recording the volume of firm reclaimed water demand that is transferred. (h) ~~If firm reclaimed water cannot be applied to reclaimed water dispersal sites or transferred, the applicant must provide an alternative method to dispose the reclaimed water and provide notice to the regional office.~~ An applicant that relies on firm reclaimed water demand that will be used for outdoor purposes must demonstrate in a water balance that the firm reclaimed water demand will not result in an unauthorized discharge to waters of the State or a contamination of groundwater. (i) An applicant and, to the extent applicable, user must maintain its authorization under 30 TAC Chapter 210 (*Use of Reclaimed Water*) during the term of the permit. (j) A permittee that relies on firm reclaimed water demand must receive an authorization required by 30 TAC Chapter 210 prior to initiating construction or, if already constructed, operating a wastewater treatment plant. ~~(j)~~(k) In any phase of a permit, the volume of firm reclaimed water demand relied upon must be less than the total permitted volume of wastewater.	
Add a new subparagraph.	30 TAC §309.20(a)(1) Technical Report. Location. (A) Site map. A copy of the United States Geological Survey topographic map of the area which indicates the exact boundaries of the disposal operation will be included in the technical report. A map from the 7 ½ minute series is required if it is published for the site area. (B) Site drawing. A scale drawing and legal description of all land which is to be a part of the disposal operation will be included in the technical report. The drawing will show the location of all existing and proposed facilities to include: buildings, waste disposal or treatment facilities, effluent storage and tail water control facilities, buffer zones, and water wells. This drawing should have an index tracts adjacent to be irrigated land shall be shown on the site drawing and identified by listing legal ownership. (C) For purposes of this subparagraph, the disposal operation does not include the land utilized for firm reclaimed water demand.	